

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

ROBERT BERG, On Behalf of Himself and All  
Others Similarly Situated, )  
Plaintiff, )  
v. )  
SPAN-AMERICA MEDICAL SYSTEMS, INC., )  
JAMES D. FERGUSON, RICHARD C. )  
COGGINS, THOMAS F. GRADY, JR., DAN R. )  
LEE, THOMAS J. SULLIVAN, THOMAS D. )  
HENRION, LINDA D. NORMAN, ROBERT H. )  
DICK, TERRY ALLISON RAPPUHN, )  
SAVARIA CORPORATION, and SAVARIA )  
(SC) INC., )  
Defendants. )  
Case No. 6:17-cv-01399-MGL  
CLASS ACTION  
DEMAND FOR JURY TRIAL

## **STIPULATION AND ORDER CLOSING AND TERMINATING THE ACTION**

WHEREAS, on July 11, 2017, the Court entered an Order dismissing without prejudice the complaint in the above-captioned action and retaining jurisdiction solely for considering any application for an award of attorneys' fees and expenses;

WHEREAS, the parties have reached agreement with respect to payment of attorneys' fees and expenses, in full satisfaction of any claims for attorneys' fees or expenses in the above-captioned action or in any of the following related actions: *Porter v. Span-America Medical Systems, Inc. et al.*, C.A. No. 6:17-cv-01357-MGL (D.S.C.) or *Pill v. Span-America Medical Systems, Inc., et al.*, C.A. No. 6:17-cv-01375-MGL (D.S.C.);

There being no further issue for the Court to consider, the Court, at the request of the parties, hereby issues the following order:

1. The above-captioned action is terminated and administratively closed, with the Court no longer retaining jurisdiction to consider any application for an award of attorneys' fees and expenses.

Dated: September 8, 2017

**NEXSEN PRUET, LLC**

By: /s/Andrew A. Mathias

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Dated: September 8, 2017

**WYCHE P.A.**

By: /s/ Wallace K. Lightsey

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SO ORDERED this 12<sup>th</sup> day of  
September, 2017

s/Mary Geiger Lewis

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THE HONORABLE MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE